

§ 247. Transferred

CODIFICATION

Section, act Sept. 22, 1922, ch. 414, 42 Stat. 1028, which related to foreign traveling salesmen, was transferred to section 503 of this title.

§ 248. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section, act June 20, 1936, ch. 635, §§ 1, 2, 49 Stat. 1557, related to prohibition against commercial use of arms of Swiss Confederation. See section 708 of Title 18, Crimes and Criminal Procedure.

§§ 249 to 250f. Transferred

CODIFICATION

Section 249, act Aug. 9, 1939, ch. 616, § 1, 53 Stat. 1290, which related to utilization of services of government agencies to promote inter-American relations, was transferred to section 501 of this title.

Section 249a, act Aug. 9, 1939, ch. 616, § 2, 53 Stat. 1290, which related to creation of advisory committees, was transferred to section 502 of this title.

Section 250, act June 15, 1940, ch. 365, § 1, 54 Stat. 396, which related to military and naval assistance to governments of American republics, was transferred to section 521 of this title.

Section 250a, act June 15, 1940, ch. 365, § 2, 54 Stat. 396, which related to transmission of information relating to implements of war, was transferred to section 522 of this title.

Section 250b, act June 15, 1940, ch. 365, § 3, 54 Stat. 397, which related to contract restrictions against disposal of implements of war, was transferred to section 523 of this title.

Section 250c, act June 15, 1940, ch. 365, § 4, 54 Stat. 397, which related to information on shipments to be given chairman of National Munitions Control Board, was transferred to section 524 of this title.

Section 250d, act June 15, 1940, ch. 365, § 5, 54 Stat. 397, which related to appropriations and dispositions of receipts, was transferred to section 525 of this title.

Section 250e, act June 15, 1940, ch. 365, § 6, 54 Stat. 397, which related to protection of patent rights, was transferred to section 526 of this title.

Section 250f, act June 15, 1940, ch. 365, § 7, 54 Stat. 397, which related to purchases of implements of war from American republics, was transferred to section 527 of this title.

CHAPTER 6—FOREIGN DIPLOMATIC AND CONSULAR OFFICERS

Sec.	
251 to 254.	Repealed.
254a.	Definitions.
254b.	Privileges and immunities of mission of non-party to Vienna Convention.
254c.	Extension of more favorable or less favorable treatment than provided under Vienna Convention; authority of President.
254c-1.	Policy toward certain agents of foreign governments.
254c-2.	Repealed.
254d.	Dismissal on motion of action against individual entitled to immunity.
254e.	Liability insurance for members of mission.
255 to 255b.	Repealed or Omitted.
256.	Jurisdiction of consular officers in disputes between seamen.
257.	Arrest of seamen; procedure generally.
258.	Commitment and discharge.
258a.	Enforcement of awards of foreign consuls.
259.	Repealed.

§ 251. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section, R.S. § 4062, related to violation of safe conduct. See sections 112 and 1545 of Title 18, Crimes and Criminal Procedure.

§§ 252 to 254. Repealed. Pub. L. 95-393, § 3(a)(1), Sept. 30, 1978, 92 Stat. 808

Section 252, R.S. § 4063, related to the immunity of any ambassador or public minister of any foreign prince or State, or any domestic or domestic servant of any such minister against arrest, imprisonment, or seizure of his goods or chattels.

Section 253, R.S. § 4064, related to imprisonment for not more than three years of anyone suing out a writ or process in violation of the provisions of former section 252 of this title, granting diplomatic immunity to certain persons.

Section 254, R.S. §§ 4065, 4066, related to suits against persons in the service of an ambassador or public minister founded upon a debt contracted before entering such service, and registration of the names of persons serving as domestic servants of an ambassador or a public minister with the State Department.

EFFECTIVE DATE OF REPEAL

Repeal effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as an Effective Date note under section 254a of this title.

INSURANCE COVERAGE OF DIPLOMATIC MISSIONS TO UNITED STATES; REPORTS TO SPEAKER OF HOUSE OF REPRESENTATIVES AND PRESIDENT OF SENATE

Pub. L. 95-148, title V, § 510(1), (2), Oct. 31, 1977, 91 Stat. 1240, provided that it was the sense of the Congress that the Secretary of State should prepare and submit to the Speaker of the House of Representatives and to the President of the Senate: (1) not later than six months after Oct. 31, 1977, a report on the adequacy of insurance provided by the accredited diplomatic missions to the United States to cover loss or injury arising from the wrongful acts or omissions of the employees of such missions in the United States; and (2) not later than one year after Oct. 31, 1977, a report on what efforts the President and the Secretary of State had made to encourage the provision of such coverage.

§ 254a. Definitions

As used in this Act—

(1) the term “members of a mission” means—

(A) the head of a mission and those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities,

(B) members of the administrative and technical staff of a mission, and

(C) members of the service staff of a mission,

as such terms are defined in Article 1 of the Vienna Convention;

(2) the term “family” means—

(A) the members of the family of a member of a mission described in paragraph (1)(A) who form part of his or her household if they are not nationals of the United States, and

(B) the members of the family of a member of a mission described in paragraph (1)(B) who form part of his or her household if they are not nationals or permanent residents of the United States,

within the meaning of Article 37 of the Vienna Convention;

(3) the term “mission” includes missions within the meaning of the Vienna Convention and any missions representing foreign governments, individually or collectively, which are

extended the same privileges and immunities, pursuant to law, as are enjoyed by missions under the Vienna Convention; and

(4) the term “Vienna Convention” means the Vienna Convention on Diplomatic Relations of April 18, 1961 (T.I.A.S. numbered 7502; 23 U.S.T. 3227), entered into force with respect to the United States on December 13, 1972.

(Pub. L. 95-393, §2, Sept. 30, 1978, 92 Stat. 808; Pub. L. 97-241, title II, §203(b)(1), Aug. 24, 1982, 96 Stat. 290.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 95-393, Sept. 30, 1978, 92 Stat. 808, as amended, known as the Diplomatic Relations Act. For complete classification of this Act to the Code, see Short Title note below and Tables.

AMENDMENTS

1982—Par. (1)(A). Pub. L. 97-241 substituted “those members of a mission who are members of the diplomatic staff or who, pursuant to law, are granted equivalent privileges and immunities” for “members of the diplomatic staff of a mission”.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Pub. L. 95-393, §9, Sept. 30, 1978, 92 Stat. 810, provided that: “This Act [see Short Title note below] shall take effect at the end of the ninety-day period beginning on the date of its enactment [Sept. 30, 1978]”.

SHORT TITLE

Pub. L. 95-393, §1, Sept. 30, 1978, 92 Stat. 808, provided that: “This Act [enacting this section, sections 254b to 254e of this title, and section 1364 of Title 28, Judiciary and Judicial Procedure, amending sections 1251 and 1351 of Title 28, repealing sections 252 to 254 of this title, and enacting provisions set out as a note under this section] may be cited as the ‘Diplomatic Relations Act’.”

§ 254b. Privileges and immunities of mission of nonparty to Vienna Convention

With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers shall enjoy the privileges and immunities specified in the Vienna Convention.

(Pub. L. 95-393, §3(b), Sept. 30, 1978, 92 Stat. 808; Pub. L. 97-241, title II, §203(b)(2), Aug. 24, 1982, 96 Stat. 291.)

AMENDMENTS

1982—Pub. L. 97-241 substituted “With respect to a nonparty to the Vienna Convention, the mission, the members of the mission, their families, and diplomatic couriers” for “Members of the mission of a sending state which has not ratified the Vienna Convention, their families, and the diplomatic couriers of such state,”.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as a note under section 254a of this title.

§ 254c. Extension of more favorable or less favorable treatment than provided under Vienna Convention; authority of President

The President may, on the basis of reciprocity and under such terms and conditions as he may determine, specify privileges and immunities for the mission, the members of the mission, their families, and the diplomatic couriers which result in more favorable treatment or less favorable treatment than is provided under the Vienna Convention.

(Pub. L. 95-393, §4, Sept. 30, 1978, 92 Stat. 809; Pub. L. 97-241, title II, §203(b)(3), Aug. 24, 1982, 96 Stat. 291.)

AMENDMENTS

1982—Pub. L. 97-241 substituted “immunities for the mission, the members” for “immunities for members” and “diplomatic couriers which” for “diplomatic couriers of any sending state which”.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-241 effective Oct. 1, 1982, see section 204 of Pub. L. 97-241, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective at end of ninety-day period beginning on Sept. 30, 1978, see section 9 of Pub. L. 95-393, set out as a note under section 254a of this title.

EX. ORD. NO. 12101. DELEGATION OF FUNCTIONS TO SECRETARY OF STATE RESPECTING PRIVILEGES AND IMMUNITIES FOR DIPLOMATIC MISSIONS AND PERSONNEL

Ex. Ord. No. 12101, Nov. 17, 1978, 43 F.R. 54195, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By the authority vested in me as President of the United States of America by the Diplomatic Relations Act (Public Law 95-393, 92 Stat. 808; 22 U.S.C. 254a et seq.) and Section 301 of Title 3 of the United States Code, in order to implement the liability insurance and other requirements relating to diplomatic personnel, I hereby designate and empower the Secretary of State to perform, without the approval, ratification, or other action of the President, the functions vested or to be vested in the President by Section 4 of Diplomatic Relations Act (92 Stat. 809; 22 U.S.C. 254c).

§ 254c-1. Policy toward certain agents of foreign governments

(a) It is the sense of the Congress that the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States should not exceed the respective numbers, status, privileges and immunities, travel accommodations, and facilities within such country of official representatives of the United States to such country.

(b) Omitted.

(Pub. L. 98-618, title VI, §601(a), (b), Nov. 8, 1984, 98 Stat. 3303.)

CODIFICATION

Subsec. (b) of this section, which required the President to prepare and transmit to the Committee on Foreign Relations and Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs and Permanent Select Committee on Intelligence of the